

ADMINISTRATIVE PANEL DECISION

Mirova v. Leo Azambuja, MIROVA
Case No. D2025-2935

1. The Parties

The Complainant is Mirova, France, represented by MIIP – MADE IN IP, France.

The Respondent is Leo Azambuja, MIROVA, United States of America.

2. The Domain Name and Registrar

The disputed domain name <mirova.online> is registered with Tucows Domains Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on July 23, 2025. On July 24, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 24, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Contact Privacy Inc. Customer 0175607333) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 25, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on July 25, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 29, 2025. In accordance with the Rules, paragraph 5, the due date for Response was August 18, 2025. The Respondent sent an email communication to the Center on July 31, 2025, accepting the transfer of the disputed domain name to the Complainant. On August 7, 2025, the proceeding was suspended and on October 15, 2025 the proceeding was further reinstated, not having the Respondent signed the settlement form. Accordingly, the Center notified the commencement of panel appointment process on October 27, 2025.

The Center appointed Wilson Pinheiro Jabur as the sole panelist in this matter on November 11, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a French company of the banking and financial sectors, an affiliate of the Natixis group.

The Complainant's official webpage is available at <mirova.com>, registered on October 14, 2009. In addition to that, the Complainant is the owner of the following trademark registrations (Annex 3 to the Complaint):

- European Union Trademark Registration No. 010787307 for the word mark MIROVA, registered on September 10, 2012, successively renewed, in classes 16, 35 and 36;
- European Union Trademark Registration No. 011123726 for the word and device mark MIROVA RESPONSIBLE INVESTING, registered on January 14, 2013, successively renewed, in classes 16, 35 and 36; and
- International Trademark Registration No. 1146522 for the word mark MIROVA, registered on August 14, 2012, successively renewed, in classes 35 and 36.

Past UDRP Panels have already recognized: “the reputation of the Complainant's trademark MIROVA in the field of financial services is clearly established” (*MIROVA v. Redacted for Privacy / Tod Francis, Francis Trucking Inc*, WIPO Case No. [D2020-2148](#)); that “the Complainant's trademarks are well-known in the financial sector” (*MIROVA v. Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf. / Gaulard Didier, MIROVA*, WIPO Case No. [D2021-1481](#)); “The Complainant has adduced sufficient evidence to establish that its MIROVA mark was well-known, at least in the financial sector” (*Mirova v. Contact Privacy Inc. Customer 0162716733 / Tabora Dee, mlrova*, WIPO Case No. [D2021-3713](#)); and “The Panel also notes that the Respondent has intentionally attempted to attract, for commercial gain, Internet users by creating a likelihood of confusion with the well-known MIROVA Trademarks. Given the distinctiveness of the MIROVA Trademarks, and their reputation [...]” (*MIROVA v. HENRI MARCEL, HM FINANCE*, WIPO Case No. [D2024-2442](#)).

The disputed domain name was registered on July 12, 2025, and presently resolves to a parked webpage stating that “this store does not exist”.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant asserts to be a key player in sustainable finance, providing its clients with investment solutions that aim to reconcile financial performance with positive environmental and social impact, as well as enabling its clients to collect funds and transfer cash to third-party accounts for remote and proximity payments.

According to the Complainant, the disputed domain name is confusingly similar to the MIROVA trademark which is entirely incorporated in the disputed domain name.

As to the lack of rights or legitimate interests, the Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name, there being no business or legal relationship between the Complainant and the Respondent; neither having the Complainant authorized nor licensed the Respondent to use its trademarks in any way; also not being the Respondent commonly known as MIROVA. Furthermore, the disputed domain name is currently not actively used for any legitimate noncommercial or fair use or in connection with bona fide offering goods or services.

Lastly, the Complainant sustains that, given the well-known status of the MIROVA trademark, the Respondent clearly targeted the Complainant, selecting the disputed domain name which entirely and solely consists of the Complainant's trademark. Moreover, the Complainant points out that the Respondent retained a privacy protection service; is not making active use of the disputed domain name but has email servers associated with it, which are all indicia of bad faith registration and use of a disputed domain name.

B. Respondent

The Respondent did not formally reply to the Complainant's contentions. In his informal message to the Center dated July 31, 2025, the Respondent simply stated "I, Leo Aquino De Azambuja, give up my domain and hand it over to the claimant".

6. Discussion and Findings

6.1 Procedural matter – Respondent's consent

Firstly, the Panel has to address the Respondent's acceptance as to the voluntary transfer of the disputed domain name without findings of fact or conclusions as to the merits of the case under the UDRP.

A UDRP panel may at its discretion order the transfer of the domain name if the respondent has given its unambiguous consent to transfer without findings under the Policy, paragraph 4(a) (WIPO Panel Views on Selected UDRP Questions, Third Edition, "[WIPO Overview 3.0](#)", section 4.10). Some UDRP panels have declined to grant a remedy solely on the basis of respondent's consent where the complainant objects or because the panel finds a broader interest in reaching a substantive determination.

In the present case, considering all the circumstances of the present case and the fact that the Respondent did not sign the Settlement Form, as seen above, the Panel will proceed to a decision on the merits, and analyze the three requisite elements under paragraph 4(a) of the Policy.

6.2 Substantive matter

Paragraph 4(a) of the Policy sets forth the following three requirements which the Complainant must meet in order for the Panel to order the transfer of the disputed domain name:

- (i) the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights; and
- (ii) the Respondent has no rights or legitimate interests in respect of the disputed domain name; and
- (iii) the disputed domain name has been registered and is being used in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of [WIPO Overview 3.0](#), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is identical to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Respondent has furthermore recognized not having interest in the disputed domain name and expressed his consent to transfer the disputed domain name to the Complainant.

Under these circumstances and absent evidence to the contrary, the Panel finds that the Respondent does not have rights or legitimate interests with respect to the disputed domain name.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent’s registration and use of a domain name is in bad faith. [WIPO Overview 3.0](#), section 3.2.1.

Panels have found that the non-use of a domain name would not prevent a finding of bad faith under the doctrine of passive holding. [WIPO Overview 3.0](#), section 3.3. Having reviewed the available record, the Panel notes the distinctiveness of the Complainant’s trademark, and the composition of the disputed domain name, and finds that in the circumstances of this case the passive holding of the disputed domain name does not prevent a finding of bad faith under the Policy.

Two other factors to be taken into account are: the Respondent's choice to retain a privacy protection service so as to conceal his identity and configuring active email servers associated with the disputed domain name which consists solely of the reproduction of a well-known trademark.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <mirova.online> be transferred to the Complainant.

/Wilson Pinheiro Jabur/

Wilson Pinheiro Jabur

Sole Panelist

Date: November 17, 2025